

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: ) Chapter 11  
          )  
Hawthorne Grande Limited Partnership, ) The Honorable Carol A. Doyle  
          ) Case No. 07 B 20082  
Debtor. )  
          ) Hearing Date: November 27, 2007  
          ) Hearing Time: 10:00 a.m.

**NOTICE OF FINAL HEARING**

TO: **Attached Service List**

PLEASE TAKE NOTICE that on Tuesday, November 27, 2007 at the hour of 10:00 a.m., the Honorable Carol A. Doyle shall conduct a final hearing on the Debtor's **Motion for Interim and Final Orders Providing Adequate Assurance of Payment to Utilities** in the courtroom usually occupied by her in the Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604. A copy of the **Interim Order Providing Adequate Assurance of Payment to Utilities** (the "Interim Order") and Exhibit A of the foregoing Motion are attached hereto; copies of the foregoing Motion may be accessed through the Court's CM/ECF system; and, the Debtor anticipates that the terms of the Final Order will be substantially similar to those set forth in the Interim Order.

Respectfully submitted,

/s/ Morgan M. Smith  
RICHARD M. BENDIX, JR. (#0168130)  
MORGAN M. SMITH (#6287435)  
SCHWARTZ COOPER CHARTERED  
180 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601  
Telephone: (312) 346-1300  
Facsimile: (312) 782-8416  
[rbendix@schwartzcooper.com](mailto:rbendix@schwartzcooper.com)  
[msmith@schwartzcooper.com](mailto:msmith@schwartzcooper.com)

**CERTIFICATION**

I certify that on November 20, 2007, a copy of the Interim Order was served on (1) all parties that have filed an electronic appearance in this proceeding, via the Court's CM/ECF system and (2) the parties on the attached Service List in the manner set forth therein.

/s/ Morgan M. Smith  
Counsel for the Debtor

**SERVICE LIST**

<b><u>Via Facsimile</u></b> Apartment Hunters Attn: Dena Lanolette 11778 N Dale Mabry Tampa, FL 33618 Fax: 813-269-7769	<b><u>Via Facsimile</u></b> Atlas Glass & Mirror 700 West State Road 436 Suite 106 Altamonte Springs, FL 32714 Fax: 407-788-2099
<b><u>Via Facsimile</u></b> Brownie's 10445 General Drive Orlando, FL 32824 Fax: 407-872-0848	<b><u>Via Facsimile</u></b> Every Green Attn: Alex Solovjov PO Box 620031 Orlando, FL 32862 Fax: 407-876-0943
<b><u>Via Facsimile</u></b> Firetronics PO Box 162286 Altamonte Springs, FL 32716 Fax: 407-774-2074	<b><u>Via Overnight Delivery</u></b> For Rent 3165 McCrory Place Suite 175 Orlando, FL 32803
<b><u>Via Overnight Delivery</u></b> Green Advertising 902 Clint Moore Road Suite 226 Boca Raton, FL 33487	<b><u>Via Facsimile</u></b> HD Supply Attn: Matt Ballenger PO Box 509058 San Diego, CA 92150 Fax: 800-930-4930
<b><u>Via Facsimile</u></b> Human Directionals Attn: Sean Atkinson 12418 Bramfield Drive Riverview, FL 33579 Fax: 813-672-6557	<b><u>Via Facsimile</u></b> IKON Financial Services Attn: Doug Blackburn PO Box 9115 Macon, GA 31208 Fax: 478-405-4026
<b><u>Via Facsimile</u></b> Millenium Contract Flooring, Inc. Attn: Steve Dykes 1600 33rd Street Suite 102 Orlando, FL 32839 Fax: 407-299-8802	<b><u>Via Overnight Delivery</u></b> Orange County Utilities C/o Michael L Chandler, Director 9150 Curry Ford Road Orlando, FL 32825

<p><b><u>Via Overnight Delivery</u></b> Orlando Sentinel c/o Levy Diamond Bello and Associates Attn: Craig Capitan 497 Bic Drive Milford, CT 06461</p>	<p><b><u>Via Facsimile</u></b> Performance Gate Systems Attn: Robert Bledsoe PO Box 149706 Orlando, FL 32814 Fax: 386-532-9193</p>
<p><b><u>Via Facsimile</u></b> Pristine Clean Attn: Anna Guarino 14339 Peacock Springs Trail Orlando, FL 32828 Fax: 407-802-4502</p>	<p><b><u>Via Overnight Delivery</u></b> Progress Energy 5225 Tech Data Drive Clear Water, FL 33760</p>
<p><b><u>Via Overnight Delivery</u></b> Orlando Business Telephone c/o Herbert H. Bornack, Registered Agent 4558 SW 35<sup>th</sup> Street – Suite 100 Orlando, FL 32811</p>	<p><b><u>Via Overnight Delivery</u></b> Smart Deal Services 1551 Loch Avich Road Winter Garden, FL 34787</p>
<p><b><u>Via Overnight Delivery</u></b> Sherwin Williams 4677 LB Mcleod Road Suite A Orlando, FL 32811</p>	<p><b><u>Via Facsimile</u></b> X-Press Carpet Service Attn: Gabriel Rodriguez PO Box 780791 Orlando, FL 32878 Fax: 407-517-7517</p>
<p><b><u>Via Facsimile</u></b> Wilmar PO Box 404284 Atlanta, GA 30384 Fax: 800-220-3291</p>	<p><b><u>Via Facsimile</u></b> William T Neary Office of the U.S. Trustee, Region 11 227 W. Monroe Street - Suite 3350 Chicago, IL 60606 Fax: 312-886-5794</p>
<p><b><u>Via Facsimile</u></b> IndyMac Bank, F.S.B. c/o Bryan I. Schwartz Levenfeld Pearlstein, LLC 2 N. LaSalle St. Suite 1300 Chicago, Illinois 60602 Fax: 312.346.8434</p>	<p><b><u>Via Overnight Delivery</u></b> Comcast Cable c/o CT Corporation System 1200 S. Pine Island Road Plantation, FL 33324</p>
<p><b><u>Via Overnight Delivery</u></b> Progress Energy c/o CT Corporation System 1201 Hays Street Tallahassee, FL 32301-2525</p>	<p><b><u>Via Overnight Delivery</u></b> Comcast Cable 4305 Vineland Road – Suite G-2 Orlando, FL 32811</p>

**Via Overnight Delivery**

Orange County Utilities Department  
Attn: Michael L. Chandler, Director of Utilities  
9150 Curry Ford Road  
Orlando, FL 32825-7601

**Via Overnight Delivery**

Orange County Utilities Department  
c/o Orange County Mayor Richard Crotty  
201 S. Rosalind Ave, 5th Floor  
Orlando, FL 32801

UNITED STATES BANKRUPTCY COURT  
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IN RE: ) Chapter 11  
          )  
Hawthorne Grande Limited Partnership, ) The Honorable Carol A. Doyle  
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Debtor.    )

**INTERIM ORDER PROVIDING ADEQUATE  
ASSURANCE OF PAYMENT TO UTILITIES**

This matter having come before the Court on the Debtor's Motion for Interim and Final Orders Providing Adequate Assurance of Payment to Utilities (the "Motion")<sup>1</sup>, it appearing to the Court that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors and other parties in interest; (iv) proper and adequate notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary; and (v) upon the record herein after due deliberation thereon, that the relief should be granted as set forth in this Order, it is hereby

ORDERED, ADJUDGED AND DECREED that:

1. The Utilities are prohibited from altering, refusing, or discontinuing services to the Debtor on account of prepetition invoices pending entry of a final order granting the relief requested herein or this Order becoming a final Order (the "Final Order").
2. The Debtor shall provide an Adequate Assurance Deposit to each Utility that requests such a deposit in the amount set forth on Exhibit A to the Motion; provided, however, that such a request must be made in writing to Debtor's counsel, Richard M. Bendix, Schwartz Cooper Chartered, 180 N. LaSalle St., Suite 2700, Chicago, Illinois 60601, so that it is received

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<sup>1</sup> Capitalized terms used herein but not defined shall have the meanings ascribed to them in the Motion.

no later than 5:00 p.m. (central time) on November 28, 2007 (the "Request Deadline"). A Utility's request for and acceptance of an Adequate Assurance Deposit shall be deemed an acknowledgement and admission from the Utility that the Adequate Assurance Deposit is the form of adequate assurance that is satisfactory to it within the meaning of section 366 of the Bankruptcy Code. Likewise, any Utility that does not request an Adequate Assurance Deposit by the Request Deadline and does not file an Adequate Assurance Objection to this Motion shall be deemed to have adequate assurance that is satisfactory to it within the meaning of section 366 of the Bankruptcy Code.

3. Any Adequate Assurance Deposit requested by, and provided to, any Utility that has not already been returned or applied shall be returned to the Debtor at the conclusion of this case.

4. The following procedures (the "Adequate Assurance Procedures") are hereby adopted:

a. Any Utility requesting assurance of future payment for utility service in an amount greater than the Proposed Adequate Assurance must file an objection (an "Adequate Assurance Objection") with the Court and serve such Adequate Assurance Objection so that it is actually received by the Debtor's counsel no later than 5:00 p.m. on November 23, 2007 at the following address: Richard M. Bendix, Schwartz Cooper Chartered, 180 N. LaSalle St., Suite 2700, Chicago, Illinois 60601.

b. Any Adequate Assurance Objection must (i) be made in writing; (ii) set forth the relevant account number(s) for the Utility; (iii) describe any deposits, prepayments, surety bonds or other security currently held by the objecting Utility; (iv) explain why the objecting Utility believes the Proposed Adequate Assurance is insufficient adequate assurance of future payment; and (v) identify, and explain the basis of, the Utility's proposed adequate assurance requirement under section 366(c)(2) of the Bankruptcy Code.

c. Any Adequate Assurance Objections will be heard at the Final Hearing.

5. The Final Hearing is set for this matter on November 27, 2007 at 10:00 a.m.

6. This Court shall retain jurisdiction over all affected parties with respect to any matters, claims or rights arising from or related to the implementation of this Order.

Dated:

NOV 15 2007

ENTERED

UNITED STATES BANKRUPTCY JUDGE

Utility	Account Number(s)	Pre-Petition Deposit Amount	Surety Bond Amount	Average Monthly Payment	Adequate Assurance Deposit
Progress Energy	Various Accounts; Name of customer on account is: Hawthorne Grande Limited	N/A	\$21,500.00	\$11,000.00	\$0.00
Orange County Utilities	9288927200	\$10,601.00	N/A	\$8,000.00	\$0.00
Orlando Business Telephone	15138	N/A	N/A	\$600.00	\$600.00
Comcast Cable	Account Number is unknown; Name of customer on account is: Hawthorne Grande Limited	N/A	N/A	\$40.00	\$40.00